

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

v.

12 BLAIR ALLEN MCHENRY, *et al.*,

13 Defendants.

14 CASE NO. C16-0798-JCC

ORDER

15 This matter comes before the Court on the Government's unopposed motion for a
16 deficiency judgment (Dkt. No. 29). The Court previously entered default judgment against
17 Defendant Blair Allen McHenry in the amount of \$387,998.94, plus interest, filing fees, attorney
18 fees, litigation costs, and costs of a foreclosure sale. (Dkt. No. 21 at 2.) The default judgment
19 also foreclosed various mortgages against a parcel of McHenry's real property in Whatcom
20 County. (*Id.* at 3.) The Court subsequently issued an order of foreclosure sale, which authorized
21 the U.S. Marshal to conduct a foreclosure sale of the property. (Dkt. No. 25.) That order
22 specified the terms of the foreclosure sale and stated that the "United States shall have a
23 deficiency judgment against Defendant Blair McHenry in the event the amount received from the
24 sale of the Real Property is insufficient to pay the Judgment of the United States in full." (*Id.* at
25 5.)

1 The U.S. Marshal conducted a foreclosure sale and received a credit bid of \$192,000.
2 (Dkt. No. 30 at 2.) Defendant later redeemed the property by paying \$197,108.72, which
3 amounted to the credit bid, plus interest, taxes, and costs of conducting the foreclosure sale. (*Id.*;
4 Dkt. No. 28 at 4.) After crediting Defendant's redemption payment, his outstanding balance on
5 the judgment debt in this case is \$201,709.99. (Dkt. No. 30 at 2.)

6 Having considered the United States' motion and the supporting Declaration of Houston
7 Bruck, as well as the relevant record, the Court FINDS that the United States is entitled to a
8 deficiency judgment against Defendant Blair Allen McHenry. Accordingly, the United States'
9 motion for deficiency judgment (Dkt. No. 29) is GRANTED. The Clerk of Court is directed to
10 enter a deficiency judgment in favor of the United States of America and against Blair Allen
11 McHenry, in the amount of \$201,709.99 through December 19, 2018, plus post-judgment
12 interest at the rate prescribed by 28 U.S.C. § 1961(a) thereafter.

13 DATED this 8th day of January 2019.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE